

U.S. Patent Application No. 10/650,125
Response to Restriction Requirement dated April 24, 2007
Reply to Office Action of April 4, 2007

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REMARKS/ARGUMENTS

At page 2 of the Office Action, the Examiner is requesting that the applicant restrict this application to one of the three inventions as follows:

- I. Claims 1-16 and 66, drawn to a method of obtaining at least two absorptometry curves and extraction of at least one value.
- II. Claims 17-32 and 67-69, drawn to a method of obtaining at least one absorptometry curves and extraction of at least two values.
- III. Claims 35-65, drawn to a method of obtaining at least one absorptometry curves and extraction of at least one value.

To be responsive, the applicants elect, with traverse, Group I, directed to claims 1-16 and 66 for examination.

For the following reasons, the restriction requirement is respectfully traversed.

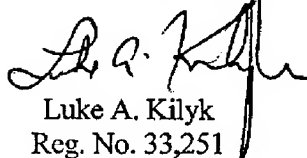
With regard to all of the claims, it is respectfully submitted that all claims should be examined at this time since there appears to be no serious burden on the part of the Examiner to search the entire scope of the claims. This is especially true considering that the class and subclass for Groups I, II, and III are identical and, therefore, clearly the searches will overlap. Furthermore, the steps recited in Groups I-III are quite similar such that there is some overlap in scope. In addition, in the Office Action, the Examiner asserts that for each group, a separate utility is shown. However, the applicants respectfully disagree since the utility that the Examiner is apparently referring to is actually a reference to steps in the claim, whereas the utility for each of these claims would be same, which is providing product consistency as recited in the preamble of each of the independent claims set forth in Groups I-III. It is clear that all claims can be examined at this time without serious burden to the Examiner in view of overlapping searches and similar language in the claims. It is believed that the subject matter has the same concept from the standpoint that the

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searches may overlap in part. Under M.P.E.P. § 803, if there is no serious burden in the examination of all of the claims even if the claims are directed to separate inventions, the Examiner must examine all claims at this time. It would appear that § 803 applies to the current situation and therefore the restriction requirement should be withdrawn and all claims should be examined at this time.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 03-0060. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,



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